

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

UNITED STATES OF AMERICA	)	
	)	Case No. 1:07-cr-83-001
vs.	)	
	)	JUDGE EDGAR
ANICETO DELGADILLO	)	MAGISTRATE JUDGE LEE

**ORDER**

Magistrate Judge Susan K. Lee filed a report and recommendation that the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count One; (2) accept Defendant's plea of guilty to Count One of the Superseding Indictment; (3) adjudicate Defendant guilty of the charges set forth in Count One of the Superseding Indictment; (4) defer a decision on whether to accept the plea agreement until sentencing; and (5) find Defendant shall remain in custody until sentencing in this matter [Doc. No. 91]. Neither party filed a timely objection to the report and recommendation.

After reviewing the record, the Court agrees with the report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the report and recommendation [Doc. No. 91] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw his not guilty plea to Count One is **GRANTED**;
- (2) Defendant's plea of guilty to Count One of the Superseding Indictment is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Superseding Indictment;
- (4) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
- (5) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is

scheduled to take place on **March 20, 2008 at 2:00 p.m. [EASTERN]**.

**SO ORDERED.**

**ENTER this the 9<sup>th</sup> day of January, 2008.**

/s/ R. Allan Edgar  
R. ALLAN EDGAR  
UNITED STATES DISTRICT JUDGE